

**DEPARTMENT OF TRANSPORTATION
COUNTY OF EL DORADO, CALIFORNIA**

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN by the County of El Dorado, State of California, that sealed bids for work in accordance with the Project Contract Documents designated:

**ENERGY RETROFITTING PROJECT – SLT INTERIOR LIGHTING UPGRADES
CONTRACT NO. PW 11-30626, CIP NO. 90058**

will be received by the Clerk to the Board of Supervisors, at the Board of Supervisors Office, 330 Fair Lane, Placerville, California, until **April 3, 2012 at 3:00 PM**, at which time bids will be publicly opened and read by the El Dorado County Department of Transportation.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60) calendar days. Bids shall be executed in accordance with the instructions given and forms provided in the bound Contract Documents furnished by the El Dorado County Department of Transportation. The Proposal shall not be detached and shall be submitted with the Contract Documents bid package in its entirety. All bids must be clearly marked on the envelope:

**"PROPOSAL FOR ENERGY RETROFITTING PROJECT – SLT INTERIOR
LIGHTING UPGRADES"**

CONTRACT NO. PW 11-30626, CIP NO. 90058

TO BE OPENED AT 3:00 P.M. – April 3, 2012

LOCATION/DESCRIPTION OF THE WORK: The project is located at four different El Dorado County Buildings in South Lake Tahoe in El Dorado County as shown on the Contract Document cover sheet and in Attachment A. The Work to be done generally consists of, but is not limited to:

- A. **Department of Transportation Maintenance Yard, 1121 Shakori Drive, Lighting Upgrades** consists of furnishing all labor, tools, material and equipment required to retrofit the following in accordance with Article 3 of the Draft Agreement:
1. Retrofit thirty-three (33) F40T12/ES-2 lamp (Magnetic Ballast) F42EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 2. Retrofit one (1) F40T12/ES-3 lamp (Magnetic Ballast) F43EE fixture to a F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixture.
 3. Retrofit eight (8) F40T12/ES-4 lamp (Magnetic Ballast) F44EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 4. Retrofit forty-five (45) F96T12/HO/ES-2 lamp (Magnetic Ballast) F82EHS fixtures to F32T8 (28W)-4 lamp (Electronic Ballast) F44WLL fixtures (retrofit kits required)..
- B. **El Dorado Center, 3368 Lake Tahoe Boulevard, Lighting Upgrades** consists of furnishing all labor, tools, material and equipment required to retrofit the following in accordance with Article 3 of the Draft Agreement:
1. Retrofit one (1) F20T12-1 lamp (Magnetic Ballast) F21SS fixture to a F20T8-1 lamp (Electronic Ballast) F21LL fixture.
 2. Retrofit two (2) F20T12-2 lamp (Magnetic Ballast) F22EE fixtures to F20T8-2 lamp (Electronic Ballast) F22LL fixtures.
 3. Retrofit one (1) F40T12/ES-1 lamp (Magnetic Ballast) F41EE fixture to a F32T8 (28W)-1 lamp (Electronic Ballast) F41WLL fixture.
 4. Retrofit two (2) F40T12/ES-2 lamp (Magnetic Ballast) F42EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 5. Retrofit two hundred thirty-six (236) F40T12/ES-4 lamp (Magnetic Ballast) F44EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.

6. Retrofit two (2) FUT12/ES-2 lamp (Magnetic Ballast) FU2EE fixtures to FU31T8/6 - 2 lamp (Electronic Ballast) FU21LL fixtures.
 7. Retrofit two (2) F72T12/HO-2 lamp (Magnetic Ballast) F62SHE fixtures to F32T8 (28W)-4 lamp (Electronic Ballast) F42WLL fixtures, in two sign structures on outside of building.
 8. Retrofit two (2) F96T12/HO/ES - 2 lamp (Magnetic Ballast) F84EHE fixtures to F32T8 (28W)-4 lamp (Electronic Ballast) F44WLL fixtures, in two sign structures on outside of building.
- C. **Johnson Government Center, 1360 Johnson Boulevard, Lighting Upgrades** consists of furnishing all labor, tools, material and equipment required to retrofit the following in accordance with Article 3 of the Draft Agreement:
1. Retrofit twenty-six (26) F40T12/ES-1 lamp (Magnetic Ballast) F41EE fixtures to F32T8 (28W)-1 lamp (Electronic Ballast) F41LL fixtures.
 2. Retrofit thirty-four (34) F40T12/ES-2 lamp (Magnetic Ballast) F42EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 3. Retrofit three hundred nineteen (319) F40T12/ES-3 lamp (Magnetic Ballast) F43EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 4. Retrofit ten (10) F40T12/ES-4 lamp (Magnetic Ballast) F44EE fixtures to F32T8 (28W)-2 lamp (Electronic Ballast) F42WLL fixtures.
 5. Retrofit sixty-one (61) FUT12/ES-2 lamp (Magnetic Ballast) FU2EE fixtures to FU31T8/6 - 2 lamp (Electronic Ballast) FU21LL fixtures.
- D. Contractor's attention is directed to Articles 2, 3 and 5 of the Draft Agreement wherein the retrofit and scheduling requirements are specified.
- E. Other items or details not mentioned above, that are required by these Special Provisions and the Draft Agreement shall be performed, constructed or installed.
- F. Bids are required for the entire Work described herein.
- G. The contract time shall be TWENTY-FIVE (25) WORKING DAYS.
- H. For bonding purposes the anticipated project cost is less than \$ 125,000.
- I. A mandatory pre-bid conference and site walk is scheduled to start at **9:30 a.m.** on **March 29, 2012** to begin at the El Dorado County Department of Transportation offices located at 924 B Emerald Bay Road, South Lake Tahoe, CA. The conference will be held in the upstairs conference room. Immediately following the conference, the bidder's are required to continue the conference at the Johnson Government Center, then drive over to the El Dorado Center, and then, finish at the Department of Transportation Maintenance yard. This conference will allow bidder's to view the construction sites. Any questions that can be answered at that time by direct reference to the Contract Documents will be answered. Questions which cannot be answered may be addressed, if necessary, by addendum. Submission of a bid shall be considered an acknowledgment of familiarity with the Contract Documents, and conditions of the sites.

Attendance at the pre-bid conference is mandatory and only bids of firms with representatives in attendance at the pre-bid conference will be considered for evaluation and award. The Bidder's representative(s) will be required to sign an attendance sheet for each conference location and provide the name of the firm being represented.

OBTAINING OR INSPECTING CONTRACT DOCUMENTS: The Contract Documents may be examined at the El Dorado County Department of Transportation or may be purchased in person or by mail from the Department of Transportation, 2850 Fairlane Court, Placerville, California, 95667. The purchase price of each set of Contract Documents is **FIFTEEN DOLLARS (\$15.00)** and is not refundable. To receive Contract Documents by Federal Express, send request and payment prior to shipping and include an additional **TWENTY FIVE DOLLARS (\$25.00)**, for a total of **FORTY DOLLARS (\$40.00)**, to include shipping and handling.

CONTRACTORS LICENSE CLASSIFICATION: Bidders shall be properly licensed to perform the Work pursuant to the Contractors' State License Law (Business and Professions Code Section 7000 et seq.) and shall possess either a **CLASS B General Building Contractor** license, or a **CLASS C-10 – Electrical Contractor** license or equivalent combination of Classes required by the categories and type of Work included in the Contract Documents at the time the Contract is awarded, and shall maintain a valid license through completion and

acceptance of the Work, including the guarantee and acceptance period. Failure of the successful Bidder to obtain proper adequate licensing for an award of the Contract shall constitute a failure to execute the Contract and shall result in the forfeiture of the Bidder's security.

BUSINESS LICENSE: The County Business License Ordinance provides that it is unlawful for any person to furnish supplies or services, or transact any kind of business in the unincorporated territory of El Dorado County without possessing a County business license unless exempt under County Ordinance Code Section 5.08.070. The Bidder to whom an award is made shall comply with all of the requirements of the County Business License Ordinance, where applicable, prior to beginning work under this Contract and at all times during the term of this Contract.

REQUIRED LISTING OF PROPOSED SUBCONTRACTORS: Each Proposal shall have listed therein the name, contractor's license number and address of each subcontractor to whom the bidder proposes to subcontract portions of the work in an amount in excess of 0.5 % of the total bid, in accordance with the Subletting and Subcontracting Fair Practices Act, commencing with Section 4100 of the Public Contract Code. The Bidder shall also describe in the Subcontractor Listing the work to be performed by each subcontractor listed. The work to be performed by the subcontractor shall be shown by listing the description of the work to be subcontracted, and portion of the work to be performed by the subcontractor in the form of a percentage calculated by dividing the value of the work to be performed by the subcontractor by the total bid price. At the time the contract is awarded, all listed subcontractors shall be properly licensed to perform their designated portion of the work. The bidder's attention is directed to other provisions of the Act related to the imposition of penalties for failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG): This project is funded in part by ARRA EECBG. Pursuant to this funding the County has included the grant requirements in the Contract Documents. Bidders shall be fully informed and comply with these requirements.

BUY AMERICA: Required use of American Iron, Steel and Manufactured Goods (Covered Under International Agreements) – Section 1605 of ARRA.

The Contractor agrees that in accordance with ARRA, Section 1605, neither it nor its subcontractors will use ARRA funds for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel and manufactured goods used in the project are produced in the United States in a manner consistent with United States obligations under international agreements. Bidders shall refer to the Special Provisions for the provisions associated with Section 1605 of ARRA.

NONDISCRIMINATION: This contract is subject to the provisions of 10 CFR Part 1040.1 et seq. The bidder's attention also directed to the Special Provisions, the draft Agreement, and the certificates contained in these Contract Documents for the nondiscrimination provisions that will apply to this federal-aid contract.

The Department of Transportation hereby notifies all Bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for the award.

PREVAILING WAGE REQUIREMENTS: In accordance with the provisions of California Labor Code Sections 1770 et seq, including but not limited to Sections 1773, 1773.1, 1773.2, 1773.6, and 1773.7, the general prevailing rate of wages in the county in which the Work is to be done has been determined by the Director of the California Department of Industrial Relations. These wage rates appear in Appendix C of these Contract Documents.

Interested parties can also obtain the current wage information by submitting their requests to the Department of Industrial Relations, Division of Labor Statistics and Research, PO Box 420603, San Francisco CA 94142-0603, Telephone (415) 703-4708 or by referring to the website at <http://www.dir.ca.gov/dlsr/PWD>.

Contractor is responsible for ascertaining and complying with all current general prevailing wage requirements and rates for crafts and any rate changes that occur during the life of the contract. Information on all prevailing wage rates and all rate changes are to be posted at the job site for all workers to view. Contractor is further responsible to keep accurate payroll records and comply with all other administrative requirements provided in the California Labor Code.

Federal wage requirements as predetermined by the United States Secretary of Labor have been included in Appendix C of the Contract Documents. Addenda to modify the Federal minimum wage rates, if necessary, will be issued as described in the Project Administration section of this Notice to Bidders.

In accordance with the provisions of Labor Code 1810, eight (8) hours of labor shall constitute a legal day's work upon all work done hereunder, and Contractor and any subcontractor employed under this Contract shall conform to and be bound by the provisions of Labor Code Sections 1810 through 1815.

Where federal and state prevailing wage requirements apply, compliance with both is required. This project is funded in whole or part by federal funds. Contractor's attention is directed to the requirements of, and compliance with the Copeland Act (18 U.S.C. 874 and 29 CFR Part 3), the Davis-Bacon Act (40 U.S.C. 276a to 276a-7 and 29 CFR Part 5), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR Part 5).

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by Contractor and subcontractors, Contractor and subcontractors shall pay not less than the federal minimum wage rate which most closely approximates the duties of the employees in question.

BID SECURITY: A bid security shall be provided with each bid. Bid security shall be in an amount of not less than ten percent (10%) of the total amount of the Bid for bid and shall be cash, a certified check or cashier's check drawn to the order of the County of El Dorado or a Bidder's Bond executed by a surety satisfactory to the County of El Dorado **on the form provided in the Proposal section of these Contract Documents (do not detach the form).**

BID PROTEST PROCEDURE: The protest procedure is intended to handle and resolve disputes related to the bid award for this project pursuant to Title 10 Code of Federal Regulations Part 600 Subpart C Section 600.236 (b) (12)(i)-(ii) and County of El Dorado policies and procedures. A protestor must exhaust all administrative remedies with the County of El Dorado before pursuing a protest with a Federal Agency. Reviews of protests by the Federal agency will be limited to:

- (i.) Violations of Federal law or regulations and the standards of 10 CFR Part 600 Subpart C Section 600.236 (b) (12) (i)-(ii). Violations of State of California or local law will be under the jurisdiction of the State of California or the County of El Dorado; and
- (ii.) Violation of the County of El Dorado's protest procedures for failure to review a complaint or protest. Protests received by the Federal agency other than those specified above will be referred to the County of El Dorado.

The protest procedure is an extension of the formal bid process and allows those who wish to protest the recommendation of an award after bid the opportunity to be heard.

Policy: Upon completion of the bid evaluation, the Department of Transportation shall notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the El Dorado County Director of the Department of Transportation (Director).

Procedure: If a bidder wishes to protest the award, the procedure shall be as follows:

1. The Department of Transportation will review the bids received in a timely fashion under the terms and conditions of the Notice to Bidders, and notify the bidders in writing, at the FAX number designated in the bid, of its recommendation including for award or rejection of bids ("All Bidders Letter").
2. Within five (5) working days from the date of the "All Bidders Letter," the bidder protesting the recommendation for award shall submit a letter of protest to the County of El Dorado, Department of Transportation, Attention Paul Hom, 2850 Fairlane Court, Placerville, CA 95667, and state in detail the basis and reasons for the protest. The bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.

3. If the Department of Transportation finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Department of Transportation does not agree with the protest, or otherwise fails to resolve the protest, the Department of Transportation will notify the bid protestor and all interested parties of its decision and the date and time that the recommendation for award in a Protest Denial Fax.

4. Within one (1) business day of the date and time of the Protest Denial Fax, the bidder may request a meeting with the El Dorado County Deputy Director of Engineering, Engineering Division, Department of Transportation (Deputy Director) at which the recommendation and bid protest will be considered. At this meeting, the Deputy Director will take comment from the bidder and make a recommendation to the Director. In the event that the bidder does not request and attend a meeting, the bid protest may be dismissed by the Director without further consideration of the merits; and

In his discretion, the Director may accept or reject any bids. The decision of the Director shall be final in accepting or rejecting the bid protest, awarding the bid, or rejecting any or all bids.

AWARD OF CONTRACT: Bids will be considered for award by the Director. The Director reserves the right after opening bids to reject any or all bids, to waive any irregularity in a bid, or to make award to the lowest responsive, responsible Bidder and reject all other bids, as it may best serve the interests of the County.

As a condition of award, the successful Bidder will be required to submit schedule, bonds, and evidence of insurance prior to execution of the Agreement by the County. Failure to meet this requirement shall constitute abandonment of the Bid by the Bidder and forfeiture of the Bidder's security. Award will then be made to the next lowest, responsive, responsible Bidder.

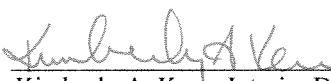
RETAINAGE FROM PAYMENTS: The Contractor may elect to receive one hundred percent (100%) of payments due under the Contract from time to time, without retention of any portion of the payment by the County, by depositing securities of equivalent value with the County in accordance with the provisions of Section 22300 of the Public Contract Code. Securities eligible for deposit hereunder shall be limited to those listed in Section 16430 of the Government Code, or bank or savings and loan certificates of deposit.

PROJECT ADMINISTRATION: All communications relative to the Contract Documents shall be directed to Paul Hom in the El Dorado County Department of Transportation, 2850 Fairlane Court, Placerville, CA 95667, telephone: (530) 621-5925, email paul.hom@edcgov.us. No oral responses to any questions concerning the content of the Contract Documents will be given. All responses will be in the form of written addenda to the Contract Documents or written responses to bidders' inquiries. Responses to bidders' inquiries and addenda will be posted on the Department of Transportation website at www.edcgov.us/Government/DOT/Bids.aspx. It is the bidders' responsibility to check this website for responses and addenda during the bid period.

Inquiries or questions based on alleged patent ambiguity of the specifications, or estimate must be communicated as a bidder inquiry prior to bid opening. Any such inquiries or questions, submitted after bid opening will not be treated as a bid protest.

BY ORDER OF the Director of the Department of Transportation, County of El Dorado, State of California.

Authorized by the Interim Director of Transportation on March 16, 2012, at Placerville, California.

By 

Kimberly A. Kerr, Interim Director
Department of Transportation,
County of El Dorado